

SENATE BILL No. 130

DIGEST OF INTRODUCED BILL

Citations Affected: IC 16-27; IC 20-12-21.7; IC 25-23.5; IC 34-6-2-117.

Synopsis: Occupational therapists. Establishes a licensure program for occupational therapists, and grants licenses to individuals previously certified as occupational therapists.

Effective: July 1, 2006.

Alting, Miller

January 9, 2006, read first time and referred to Committee on Health and Provider Services.

C
o
p
y



Second Regular Session 114th General Assembly (2006)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2005 Regular Session of the General Assembly.

SENATE BILL No. 130

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 16-27-1-1 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 1. As used in this
3 chapter, "health care professional" means any of the following:

- 4 (1) A licensed physician.
- 5 (2) A licensed dentist.
- 6 (3) A licensed chiropractor.
- 7 (4) A licensed podiatrist.
- 8 (5) A licensed optometrist.
- 9 (6) A nurse licensed under IC 25-23-1.
- 10 (7) A physical therapist licensed under IC 25-27 or a physical
11 ~~therapy~~ **therapist's** assistant certified under IC 25-27.
- 12 (8) A speech language pathologist or an audiologist licensed
13 under IC 25-35.6-3.
- 14 (9) A speech language pathology aide or an audiology aide (as
15 defined in IC 25-35.6-1-2).
- 16 (10) An:
17 (A) occupational therapist; or



C
o
p
y

(B) occupational ~~therapist~~ **therapy** assistant;

~~certified licensed~~ under IC 25-23.5.

(11) A social worker licensed under IC 25-23.6 or a social work assistant.

(12) A pharmacist licensed under IC 25-26-13.

SECTION 2. IC 16-27-2-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 1. As used in this chapter, "health care professional" means any of the following:

(1) A licensed physician or a physician's assistant (as defined in IC 25-22.5-1-1.1).

(2) A dentist licensed under IC 25-14.

(3) A chiropractor licensed under IC 25-10-1.

(4) A podiatrist licensed under IC 25-29.

(5) An optometrist licensed under IC 25-24.

(6) A nurse licensed under IC 25-23-1.

(7) A physical therapist licensed under IC 25-27 or a physical therapy assistant certified under IC 25-27.

(8) A speech language pathologist or an audiologist licensed under IC 25-35.6-3.

(9) A speech language pathology aide or an audiology aide (as defined in IC 25-35.6-1-2).

(10) An:

(A) occupational therapist; or

(B) occupational therapist assistant;

~~certified licensed~~ under IC 25-23.5.

(11) A social worker licensed under IC 25-23.6 or a clinical social worker licensed under IC 25-23.6.

(12) A pharmacist licensed under IC 25-26-13.

SECTION 3. IC 20-12-21.7-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 7. (a) Except as provided in subsection (c), the money in the fund shall be used to provide annual scholarships to minority students who qualify under section 9(a) of this chapter or individuals who qualify under ~~section 9.1(a)~~ **section 9.1** of this chapter in an amount that is equal to the lesser of the following amounts:

(1) The balance of the student's total cost in attending the eligible institution for the academic year.

(2) One thousand dollars (\$1,000).

(b) Subject to section 8(c) of this chapter, each scholarship awarded under subsection (a) or subsection (c) is renewable under section 9(b) of this chapter ~~or under section 9.1(b) of this chapter, whichever applies;~~ for a total scholarship award that does not exceed eight (8)

C
o
p
y



semesters (or its equivalent).

(c) Notwithstanding subsection (a), if a minority student qualifies under section 9(a) of this chapter and demonstrates to the commission financial need in an amount greater than described in subsection (a), the annual scholarship that the minority student may receive is equal to the lesser of the following amounts:

- (1) The balance of the student's total cost in attending the eligible institution for the academic year.
- (2) Four thousand dollars (\$4,000).

SECTION 4. IC 20-12-21.7-9.1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 9.1. ~~(a)~~ To initially qualify for a scholarship from the fund as the fund pertains to individuals described in section 8(a)(2) of this chapter, an individual must:

- (1) be admitted to an eligible institution of higher learning as a full-time student or be attending an eligible institution of higher learning as a full-time student; **and**
- (2) intend to pursue or, in the case of a student who is attending an eligible institution of higher learning, pursue a course of study that would enable the student, upon graduation,

~~(A) to be licensed to teach special education in an accredited school under rules adopted by the Indiana state board of education;~~

~~(B) to be certified~~ **licensed** to practice occupational therapy.

~~(i) in an accredited school;~~

~~(ii) in a vocational rehabilitation center under IC 12-12-1-4.1(a)(1); or~~

~~(iii) in a community mental retardation or other developmental disabilities center under IC 12-29 except IC 12-29-3-6; or~~

~~(C) to be licensed to practice physical therapy:~~

~~(i) in an accredited school;~~

~~(ii) in a vocational rehabilitation center under IC 12-12-1-4.1(a)(1); or~~

~~(iii) in a community mental retardation or other developmental disabilities center under IC 12-29 except IC 12-29-3-6;~~

~~(3) agree, in writing, to:~~

~~(A) teach in an accredited school; or~~

~~(B) practice occupational therapy or physical therapy; whichever applies:~~

~~(i) in an accredited school in Indiana;~~

C
o
p
y



(ii) in a vocational rehabilitation center under IC 12-12-1-4.1(a)(1); or

(iii) in a community mental retardation or other developmental disabilities center under IC 12-29 except IC 12-29-3-6;

at least three (3) of the first five (5) years following the student's licensure as a teacher; certification as an occupational therapist; or licensure as a physical therapist; and

(4) meet any other minimum criteria established by the commission.

(b) To qualify for a scholarship renewal from the fund under this section, the individual must:

(1) comply with the criteria set forth in subsection (a); and

(2) maintain at least the cumulative grade point average:

(A) that is required by an eligible institution for admission to the eligible institution's school of education; or

(B) of 2.0 on a 4.0 grading scale or its equivalent as established by the eligible institution if the eligible institution's school of education does not require a certain minimum cumulative grade point average.

SECTION 5. IC 20-12-21.7-11 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 11. (a) The commission shall maintain complete and accurate records in implementing the program, including the following:

(1) scholarships awarded under this chapter.

(2) The number of individuals who fulfilled the agreement described under section 9.1(a)(3) of this chapter.

(3) The number of individuals who did not fulfill the agreement described under section 9.1(a)(3) of this chapter.

(b) Each eligible institution shall provide the commission with information concerning the following:

(1) The awarding of scholarships under this chapter.

(2) The academic progress made by each recipient of a scholarship under this chapter.

(3) Other pertinent information requested by the commission.

SECTION 6. IC 20-12-21.7-12 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 12. The commission shall adopt rules under IC 4-22-2 to implement this chapter. ~~including rules governing the enforcement of the agreements under section 9.1(a)(3) of this chapter.~~

SECTION 7. IC 25-23.5-1-0.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS

C
o
p
y



[EFFECTIVE JULY 1, 2006]: **Sec. 0.5. This article does not apply to the following:**

(1) A health care professional acting within the scope of the health care professional's license, certification, or registration.

(2) A student practicing occupational therapy as part of a supervised course of study in an educational program approved by the board. While practicing occupational therapy, a student must wear identification that indicates the student is a student or trainee.

SECTION 8. IC 25-23.5-1-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 5. (a) "Occupational therapy" means the functional assessment of learning and performance skills and the analysis, selection, and adaptation of exercises or equipment for a person whose abilities to perform the requirements of daily living are threatened or impaired by physical injury or disease; mental illness; a developmental deficit; the aging process; or a learning disability. The term consists primarily of the following functions:

(1) Planning and directing exercises and programs to improve sensory-integration and motor functioning at a level of performance neurologically appropriate for a person's stage of development.

(2) Analyzing, selecting, and adapting functional exercises to achieve and maintain a person's optimal functioning in daily living tasks and to prevent further disability.

therapeutic use of everyday life activities or occupations with individuals or groups for the purpose of participation in roles and situations in:

- (1) homes;
- (2) schools;
- (3) workplaces;
- (4) communities; and
- (5) other settings.

(b) Occupational therapy services are provided for the purpose of promoting health and wellness of those who have or are at risk of developing:

- (1) an illness;
- (2) an injury;
- (3) a disease;
- (4) a disorder;
- (5) a condition;
- (6) an impairment;

**C
o
p
y**



- (7) a disability;
- (8) an activity limitation; or
- (9) participation restrictions.
- (c) Occupational therapy addresses the:
 - (1) physical;
 - (2) cognitive;
 - (3) psychosocial;
 - (4) sensory; and
 - (5) other aspects of;

performance in a variety of contexts to support engagement in everyday life activities that affect health, well-being, and quality of life.

SECTION 9. IC 25-23.5-2-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 2. The committee consists of five (5) members appointed by the governor for terms of three (3) years. The committee must include the following:

- (1) At least two (2) occupational therapists who:
 - (A) are residents of Indiana;
 - (B) have at least three (3) years experience as occupational therapists; and
 - (C) are ~~certified~~ **licensed** under this article.
- (2) At least one (1) physician licensed under IC 25-22.5 who is familiar with occupational therapy.
- (3) At least one (1) person who:
 - (A) is a resident of Indiana; and
 - (B) is not associated with occupational therapy in any way other than as a consumer.

SECTION 10. IC 25-23.5-2-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 5. The committee shall:

- (1) consider the qualifications of persons who apply for ~~certificates~~ **licenses** under this article;
- (2) provide for examinations required under this article;
- (3) ~~certify~~ **license** qualified persons;
- (4) propose rules to the board concerning the:
 - (A) competent practice of occupational therapy;
 - (B) **continuing competence requirement for occupational therapist and occupational therapy assistant license renewal;** and
 - (C) ~~the~~ administration of this article; and
- (5) recommend to the board the amounts of fees required under this article.

SECTION 11. IC 25-23.5-2-6 IS AMENDED TO READ AS

C
o
p
y



FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 6. (a) After considering the committee's proposed rules, the board shall adopt rules under IC 4-22-2 establishing standards for:

- (1) the competent practice of occupational therapy;
- (2) the renewal of ~~certificates~~ **licenses** issued under this article; and
- (3) ~~standards for~~ the administration of this article.

(b) After considering the committee's recommendations for fees, the board shall establish fees under IC 25-1-8-2.

SECTION 12. IC 25-23.5-3-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 1. A person may not:

- (1) ~~profess to be practice as~~ an occupational therapist;
- (2) ~~profess to be practice as~~ an occupational therapy assistant;
- (3) use the title "occupational therapist"; **or**
- (4) use the title "occupational therapy assistant"; **or**
- (5) ~~use the initials "O.T.", "O.T.A.", "O.T.R.", or "C.O.T.A.", or any other words, letters, abbreviations, or insignia indicating or implying that the person is an occupational therapist or occupational therapy assistant certified under this article;~~

unless the person is ~~certified~~ **licensed or exempt from the requirement to be licensed** under this article.

SECTION 13. IC 25-23.5-3-1.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: **Sec. 1.5. This article does not apply to the following:**

- (1) **A physical therapist licensed under IC 25-27.**
- (2) **A psychologist licensed under IC 25-33.**
- (3) **A speech language pathologist licensed under IC 25-35.6.**

SECTION 14. IC 25-23.5-3-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 2. A person who **knowingly** violates this chapter commits a Class B misdemeanor.

SECTION 15. IC 25-23.5-5-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 1. A person who applies for a ~~certificate~~ **license** as an occupational therapist or occupational therapy assistant must present satisfactory evidence to the committee that the person:

- (1) does not have a conviction for a crime that has a direct bearing on the person's ability to practice competently;
- (2) has not been the subject of a disciplinary action by a licensing or certification agency of another state or jurisdiction on the grounds that the person was not able to practice as an occupational therapist or occupational therapy assistant without

C
o
p
y



endangering the public;

(3) has graduated from a ~~school or~~ program of occupational therapy or a program for occupational therapy assistants approved by the board; and

(4) has passed an occupational therapist or occupational therapy assistant licensing or certifying examination approved by the board.

SECTION 16. IC 25-23.5-5-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 2. (a) The board may require a person who applies for a ~~certificate~~ **license** as an occupational therapist to have successfully completed supervised fieldwork experience arranged and approved by the school or program from which the person graduated.

(b) The board may require a person who applies for a ~~certificate~~ **license** as an occupational therapy assistant to have successfully completed supervised fieldwork experience arranged and approved by the program from which the person graduated.

SECTION 17. IC 25-23.5-5-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 3. A person applying for a ~~certificate~~ **license** under this article must pay a fee.

SECTION 18. IC 25-23.5-5-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 6. The committee shall issue a ~~certificate~~ **license** to a person who:

(1) achieves a passing score ~~as determined by the board; on the examination provided under this chapter; on the examination administered by the National Board for Certification in Occupational Therapy;~~ and

(2) is otherwise qualified under this article.

SECTION 19. IC 25-23.5-5-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 7. The committee may refuse to issue a ~~certificate~~ **license** or may issue a ~~probationary~~ **certificate temporary license** to a person if:

(1) the person has been disciplined by an administrative agency in another jurisdiction; and

(2) the committee determines that the violation for which the person was disciplined has a direct bearing on the person's ability to practice as an occupational therapist or occupational therapy assistant.

SECTION 20. IC 25-23.5-5-8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 8. (a) If the committee issues a ~~probationary~~ **certificate temporary license** under section 7 of this chapter, the committee may require the person who holds the

C
o
p
y



~~certificate~~ **temporary license** to perform one (1) or more of the following conditions:

- (1) Report regularly to the committee upon a matter that is the basis for the probation.
- (2) Limit practice to areas prescribed by the committee.
- (3) Continue or renew professional education.
- (4) Engage in community restitution or service without compensation for a number of hours specified by the committee.

(b) The committee shall remove a limitation placed on a ~~probationary certificate~~ **temporary license** if after a hearing the committee finds that the deficiency that caused the limitation has been remedied.

SECTION 21. IC 25-23.5-5-9 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 9. (a) A ~~certificate~~ **license** issued by the committee expires on a date established by the ~~health professions bureau~~ **Indiana professional licensing agency** under IC 25-1-5-4 in the next even-numbered year following the year in which the ~~certificate~~ **license** was issued.

(b) A person may renew a ~~certificate~~ **license** by paying a renewal fee on or before the expiration date of the ~~certificate~~ **license**.

(c) If a person fails to pay a renewal ~~fee~~ on or before the expiration date of a ~~certificate~~ **license**, the ~~certificate~~ **license** becomes invalid.

SECTION 22. IC 25-23.5-5-10 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 10. (a) The committee shall reinstate an invalid ~~certificate~~ **license** up to three (3) years after the expiration date of the ~~certificate~~ **license** if the person holding the invalid ~~certificate~~ **license** meets the requirements under IC 25-1-8-6.

(b) If more than three (3) years have elapsed since the date a ~~certificate~~ **license** expired, the person holding the ~~certificate~~ **license** may renew the ~~certificate~~ **license** by satisfying the requirements for renewal established by the board and meeting the requirements under IC 25-1-8-6.

SECTION 23. IC 25-23.5-5-11 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 11. (a) The committee may issue a temporary ~~permit~~ **license** to a person ~~to profess who~~ **professes** to be an occupational therapist or occupational therapy assistant if the person pays a fee and the person:

- (1) has a valid license or certificate to practice from another state and the person has applied for a ~~certificate~~ **license** from the committee;
- (2) is practicing in a state that does not license or certify occupational therapists or occupational therapy assistants but is

C
o
p
y



certified by a national occupational therapy association approved by the committee and the person has applied for a ~~certificate~~ **license** from the committee; or

(3) ~~has been approved by the committee to take the next examination and has graduated from a school or program approved by the committee and the person has completed the fieldwork experience requirement.~~ **meets all of the following requirements:**

(A) **Has graduated from an accredited program.**

(B) **Has completed the fieldwork experience requirement.**

(C) **Is eligible to take the entry-level examination offered through the National Board for Certification in Occupational Therapy.**

(b) A person with a temporary ~~permit~~ **license** issued under subsection (a)(3) may profess to be an occupational therapist or an occupational therapy assistant only under the supervision of an occupational therapist ~~certified~~ **licensed** under this article.

(c) A temporary ~~permit~~ **license** expires: ~~the earlier of:~~

(1) the date the person holding the ~~permit~~ **temporary license** is issued a ~~certificate~~ **permanent license** under this article; ~~or~~

(2) the date the committee disapproves the person's ~~certificate~~ **license** application; ~~or~~

(3) **six (6) months following issuance of the temporary license.**

(d) The committee may renew a temporary ~~permit~~ **license** if the person holding the ~~permit~~ **temporary license** was scheduled to take the next examination and the person:

(1) did not take the examination; and

(2) shows good cause for not taking the examination.

(e) A ~~permit~~ **temporary license** renewed under subsection ~~(c)~~ **(d)** expires on the date the person holding the ~~permit~~ **temporary license** receives the results from the next examination given after the ~~permit~~ **temporary license** was issued.

SECTION 24. IC 25-23.5-5-12 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 12. (a) A person who is ~~certified~~ **licensed** under this article shall notify the committee in writing when the person retires from practice.

(b) Upon receipt of the notice, the committee shall:

(1) record the fact the person is retired; and

(2) release the person from further payment of renewal fees.

SECTION 25. IC 25-23.5-5-13 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 13. (a) If a person surrenders a ~~certificate~~ **license** to the committee, the committee may

C
o
p
y



reinstates the ~~certificate~~ **license** upon written request by the person.

(b) If the committee reinstates a ~~certificate~~, **license**, the committee may impose conditions on the ~~certificate~~ **license** appropriate to the reinstatement.

(c) A person may not surrender a ~~certificate~~ **license** without written approval by the committee if a disciplinary proceeding under this article is pending against the person.

SECTION 26. IC 25-23.5-5-14 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 14. A person who applies for a ~~certificate~~ **license** under this article **who has successfully passed the examination administered by the National Board for Certification in Occupational Therapy** may be exempted by the committee from the examination requirement under section 6 of this chapter if the person:

(1) is licensed or certified to practice as an occupational therapist or occupational therapy assistant in another state; or

(2) is practicing in a state that does not license or certify occupational therapists or occupational therapy assistants and is certified by a national occupational therapy association approved by the board;

and is otherwise qualified under sections 1 through 3 of this chapter and pays an additional fee.

SECTION 27. IC 25-23.5-5-15 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 15. The committee may issue a ~~certificate~~ **license** to a person who has graduated as an occupational therapist or occupational therapy assistant from an educational program in a foreign country if the person:

(1) graduated from an educational program approved by the board;

(2) does not have a conviction for:

(A) an act that would constitute a ground for a disciplinary sanction under IC 25-1-9; or

(B) a crime that has a direct bearing on the person's ability to practice competently;

(3) has not been the subject of a disciplinary action initiated by a licensing agency of another state or jurisdiction on the ground that the person was not able to practice as an occupational therapist or occupational therapy assistant without endangering the public;

(4) passes the examination required under this chapter; and

(5) pays a fee.

SECTION 28. IC 25-23.5-5-16 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS

C
o
p
y



[EFFECTIVE JULY 1, 2006]: **Sec. 16. A person licensed under this article may use methods or strategies selected to direct the process of interventions, including the following:**

- (1) Establishment, remediation, or restoration of a skill or ability that has not yet developed or is impaired.
- (2) Compensation, modification, or adaptation of activity or environment to enhance performance.
- (3) Maintenance and enhancement of capabilities without which performance of everyday life activities would decline.
- (4) Health promotion and wellness to enable or enhance performance in everyday life activities.
- (5) Prevention of barriers to performance of everyday life activities, including disability prevention.

SECTION 29. IC 25-23.5-5-17 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: **Sec. 17. (a) A person licensed under this article may evaluate the factors affecting activities of daily living, instrumental activities of daily living, education, work, play, leisure, and social participation, including the following:**

- (1) Client factors, including the following body functions or structures:
 - (A) Neuromuscular.
 - (B) Sensory.
 - (C) Visual.
 - (D) Perceptual.
 - (E) Cognitive.
 - (F) Body structures, including:
 - (i) cardiovascular;
 - (ii) digestive;
 - (iii) integumentary;
 - (iv) genital urinary; and
 - (v) musculoskeletal;
- systems.
- (2) Habits, routines, roles, and behavior patterns.
- (3) Cultural, physical, environmental, psychosocial and spiritual context, and activity demands that affect performance.
- (4) Performance skills, including:
 - (A) motor;
 - (B) process;
 - (C) communication; and
 - (D) interaction;

C
o
p
y



skills.

(b) Consultation by an occupational therapist may be performed without a physician referral. However, a referral must be obtained by an occupational therapy practitioner for evaluation and initiation of occupational therapy services to an individual with health insurance that requires a referral from:

- (1) a physician or physician assistant;
- (2) an advanced nurse practitioner;
- (3) a chiropractor; or
- (4) an optometrist.

(c) An occupational therapist may provide prevention, wellness, and education related services without a physician referral.

(d) The services provided under this section may be provided in a variety of settings, including:

- (1) educational, work, recreational, and residential settings; and
- (2) community centers for adults and children.

SECTION 30. IC 25-23.5-5-18 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 18. A person licensed under this article may provide interventions and procedures to promote or enhance safety and performance in activities of daily living, instrumental activities of daily living, education, work, play, leisure, and social participation, including the following:

- (1) Therapeutic use of occupations, exercise, and activities.
- (2) Training in:
 - (A) self-care;
 - (B) self-management;
 - (C) home management; and
 - (D) community and work reintegration.
- (3) Development, remediation, or compensation of physical, cognitive, neuromuscular, or sensory functions and behavioral skills.
- (4) Therapeutic use of one's self, including the individual's:
 - (A) personality;
 - (B) insights;
 - (C) perceptions; and
 - (D) judgments;
 as part of the therapeutic process.
- (5) Application of therapeutic procedures and physical agent modalities to enhance occupational performance.
- (6) Care coordination, case management, and transition

C
o
p
y



services.

(7) Consultative services to groups, programs, organizations, or communities.

(8) Modification of environments:

(A) at home;

(B) at work;

(C) at school; or

(D) in the community; and

adaptation of processes, including the application of ergonomic principles.

(9) Assessment, design, fabrication, application, fitting, and training in:

(A) assistive technology;

(B) adaptive devices;

(C) orthotic devices; and

(D) the use of prosthetic devices.

(10) Assessment, recommendation, and training in techniques to enhance functional mobility, including wheelchair management.

(11) Driver rehabilitation and community mobility.

(12) Education and training of support individuals, including:

(A) family members;

(B) foster parents;

(C) guardians;

(D) caregivers; and

(E) other individuals.

SECTION 31. IC 34-6-2-117 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 117. "Professional health care provider", for purposes of IC 34-30-15, means:

(1) a physician licensed under IC 25-22.5;

(2) a dentist licensed under IC 25-14;

(3) a hospital licensed under IC 16-21;

(4) a podiatrist licensed under IC 25-29;

(5) a chiropractor licensed under IC 25-10;

(6) an optometrist licensed under IC 25-24;

(7) a psychologist licensed under IC 25-33;

(8) a pharmacist licensed under IC 25-26;

(9) a health facility licensed under IC 16-28-2;

(10) a registered or licensed practical nurse licensed under IC 25-23;

(11) a physical therapist licensed under IC 25-27;

(12) a home health agency licensed under IC 16-27-1;

C
o
p
y



(13) a community mental health center (as defined in IC 12-7-2-38);

(14) a health care organization whose members, shareholders, or partners are:

(A) professional health care providers described in subdivisions (1) through (13);

(B) professional corporations comprised of health care professionals (as defined in IC 23-1.5-1-8); or

(C) professional health care providers described in subdivisions (1) through (13) and professional corporations comprised of persons described in subdivisions (1) through (13);

(15) a private psychiatric hospital licensed under IC 12-25;

(16) a preferred provider organization (including a preferred provider arrangement or reimbursement agreement under IC 27-8-11);

(17) a health maintenance organization (as defined in IC 27-13-1-19) or a limited service health maintenance organization (as defined in IC 27-13-34-4);

(18) a respiratory care practitioner licensed under IC 25-34.5;

(19) an occupational therapist ~~certified~~ **licensed** under IC 25-23.5;

(20) a state institution (as defined in IC 12-7-2-184);

(21) a clinical social worker who is licensed under IC 25-23.6-5-2;

(22) a managed care provider (as defined in IC 12-7-2-127(b));

(23) a nonprofit health care organization affiliated with a hospital that is owned or operated by a religious order, whose members are members of that religious order; or

(24) a nonprofit health care organization with one (1) or more hospital affiliates.

SECTION 32. [EFFECTIVE JULY 1, 2006] (a) If an individual was certified as an occupational therapist on June 30, 2006, under IC 25-23.5, before its amendment by this act:

(1) the individual is considered to be licensed as an occupational therapist on July 1, 2006; and

(2) the occupational therapy committee established by IC 25-23.5-2-1 shall issue a license to the individual under IC 25-23.5-5-6, as amended by this act.

(b) Notwithstanding subsection (a), the occupational therapy committee and the Indiana professional licensing agency are not required to issue a:

(1) wall license to a licensed individual described in subsection

**C
o
p
y**



1 **(a); and**
 2 **(2) new pocket license to a licensed individual described in**
 3 **subsection (a);**
 4 **until the license renewal period beginning December 1, 2007.**
 5 **(c) This SECTION expires January 1, 2010.**

C
O
P
Y

